

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, SEPTEMBER 25, 2001  
COUNTY COMMISSIONERS CHAMBERS  
FIRST FLOOR, COUNTY-CITY BUILDING  
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair  
Bob Workman, Vice Chair  
Bernie Heier  
Larry Hudkins  
Ray Stevens

Others Present: Robin Hendricksen, Deputy County Assessor  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

Absent: Kerry Eagan, Chief Administrative Officer

The Lancaster County Board of Equalization meeting was convened at 1:35 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 18, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Heier moved and Stevens seconded approval of the minutes of the Board of Equalization dated September 18, 2001. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 25 additions and deductions to the tax assessment rolls per Exhibit A.**

**MOTION:** Workman moved and Hudkins seconded approval. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

The Catholic Bishop of Lincoln  
Cedars Youth Services  
Christian Heritage Children's Home  
Family Service  
Lincoln Lancaster County Child Guidance Center, Inc.  
Lincoln Lutheran School Association, Inc.  
Madonna Rehabilitation Hospital  
Nebraska Wesleyan University  
St. Teresa Church  
Villa Marie School

**MOTION:** Heier moved and Stevens seconded approval of the motor vehicle tax exemptions. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **SETTING OF PUBLIC HEARINGS FOR NOTICE OF VALUATION CHANGE:**

Setting of public hearings for Tuesday, October 16, 2001 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for the following:

ANT L.L.C. (2 notices)  
Kenneth L. Krenk  
City of Lincoln  
MACMOR Properties

**MOTION:** Workman moved and Heier seconded to set public hearings for Tuesday, October 16, 2001 at 2:30 p.m. for notice of valuation change for omitted or undervalued property for ANT L.L.C., Kenneth L. Krenk, City of Lincoln and MACMOR Properties. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

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The Chair recessed the Board of Equalization until 2:40 p.m. when it was reconvened.

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5) **GREENBELT RECAPTURE APPEAL FOR 1998-2000 FOR THE FOLLOWING:**

**Bobby L. Purviance**

Robin Hendricksen, Deputy County Assessor, recommended that the greenbelt recapture appeal for 1998-2000 be approved.

**MOTION:** Workman moved and Hudkins seconded to accept the Assessor's recommendation and approve the greenbelt recapture appeal for 1998-2000 from Bobby L. Purviance. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

6) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY FOR THE FOLLOWING:**

**Christ United Methodist Church**

Hendricksen recommended the lot be placed on the tax rolls, in the amount of \$110,440.

**MOTION:** Heier moved and Stevens seconded to accept the Assessor's recommendation and place the lot for Christ United Methodist Church back on the tax rolls, in the amount of \$110,440. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

**Russell L. Cowan**

Hendricksen recommended the property be placed back on the tax rolls, in the amount of \$60,720.

**MOTION:** Hudkins moved and Workman seconded to accept the Assessor's recommendation and place the property for Russell L. Cowan back on the tax rolls, in the amount of \$60,720. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

**Jason D. and Shawn R. Fergus**

Hendricksen recommended the property be placed back on the tax rolls, in the amount of \$104,610.

**MOTION:** Hudkins moved and Workman seconded to accept the Assessor's recommendation and place the property for Jason D. and Shawn R. Fergus back on the tax rolls, in the amount of \$104,610. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

## **TJK Investments**

Hendricksen recommended the property be placed back on the tax rolls, in the amount of \$349,258.

**MOTION:** Heier moved and Stevens seconded to accept the Assessor's recommendation and place the property for TJK Investments back on the tax rolls, in the amount of \$349,258. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

### **7) APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY FOR THE FOLLOWING:**

#### **Tom Larson Music, Inc.**

Hendricksen recommended a 25 percent late filing penalty be assessed.

**MOTION:** Heier moved and Workman seconded to accept the Assessor's recommendation and assess a 25 percent late filing penalty against personal property for Tom Larson Music, Inc. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

### **8) REMOVAL OF LATE FILING PENALTY FOR 2001 FOR THE FOLLOWING:**

#### **Malcolm Methodist Church**

**MOTION:** Heier moved and Workman seconded to remove the late filing penalty for 2001 for Malcolm Methodist Church. Campbell, Stevens, Workman and Heier voted aye. Hudkins abstained from voting. Motion carried.

### **9) TAXABLE STATUS FOR 2001 FOR THE FOLLOWING:**

#### **Southeast Community College (2 exemptions)**

Hendricksen recommended a 50 percent exemption on the land and a 50 percent exemption on the building.

**MOTION:** Workman moved and Hudkins seconded a 50 percent exemption on Parcel I.D. # 11-03-358-001-I01 and a 50 percent exemption on Parcel I.D. # 11-03-358-001-000 for Southeast Community College. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

## **University of Nebraska Foundation (11 exemptions)**

Hendricksen recommended denial on the following exemptions from the University of Nebraska Foundation: 577A, 577B, 577C, 577D, 577E, 577F, 577G, 577H, 577J, and 577O.

**MOTION:** Heier moved and Workman seconded to accept the Assessor's recommendation and deny Exemption 577A (Parcel I.D. # 11-03-358-002-000) from the University of Nebraska Foundation. Campbell, Heir, Stevens, Workman and Hudkins voted aye. Motion carried.

**MOTION:** Heier moved and Hudkins seconded to accept the Assessor's recommendation and deny Exemption 577B (Parcel I.D. # 11-03-341-001-000) from the University of Nebraska Foundation. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

**MOTION:** Heier moved and Stevens seconded to accept the Assessor's recommendation and deny Exemption 577C (Parcel I.D. # 11-03-358-003-000) from the University of Nebraska Foundation. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

**MOTION:** Heier moved and Stevens seconded to accept the Assessor's recommendation and deny Exemption 577D (Parcel I.D. # 11-03-358-004-000) from the University of Nebraska Foundation. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

**MOTION:** Heier moved and Hudkins seconded to accept the Assessor's recommendation and deny Exemption 577E (Parcel I.D. # 11-03-358-006-000) from the University of Nebraska Foundation. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

**MOTION:** Heier moved and Workman seconded to accept the Assessor's recommendation and deny Exemption 577F (Parcel I.D. # 11-03-329-002-000) from the University of Nebraska Foundation. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

**MOTION:** Heier moved and Stevens seconded to accept the Assessor's recommendation and deny Exemption 577G (Parcel I.D.# 11-03-325-003-000) from the University of Nebraska Foundation. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

**MOTION:** Heier moved and Workman seconded to accept the Assessor's recommendation and deny Exemption 577H (Parcel I.D. # 11-10-200-024-000) from the University of Nebraska Foundation. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

**MOTION:** Heier moved and Workman seconded to accept the Assessor's recommendation and deny Exemption 577J (Parcel I.D. # 11-03-325-001-000) from the University of Nebraska Foundation. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

**MOTION:** Heier moved and Workman seconded to accept the Assessor's recommendation and deny Exemption 577O (Parcel I.D. # 10-23-433-003-061) from the University of Nebraska Foundation. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

A recommendation approving a partial exemption (40 percent) was given on Exemption 577P. Hendricksen also requested that a letter from Keith A. Miles, dated August 24, 2001 be made a part of the record (Exhibit 1) as well as five other documents:

- ▶ Technology Development Center (Total building square footage and leaseable square footage) (Exhibit 2)
- ▶ One Technology Place (Exhibit 3)
- ▶ Technology Development Center lease agreement (Exhibit 4)
- ▶ University of Nebraska Technology Development Center Incubator Program (Exhibit 5)
- ▶ Aerial map of the 11 parcels (Exhibit 6)

**MOTION:** Heier moved and Hudkins seconded to accept the Assessor's recommendation and grant a partial exemption (40 percent) on Exemption 577P (Parcel I.D. # 11-03-342-001-000) from the University of Nebraska Foundation. Stevens, Workman, Campbell, Heier and Hudkins voted aye. Motion carried.

10) **ADJOURNMENT:**

**MOTION:** Heier moved and Workman seconded adjournment of the Board of Equalization meeting at 3 p.m. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

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Bruce Medcalf, County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
TUESDAY, SEPTEMBER 25, 2001  
COUNTY COMMISSIONERS CHAMBERS  
FIRST FLOOR, COUNTY-CITY BUILDING  
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair  
Bob Workman, Vice Chair  
Bernie Heier  
Larry Hudkins  
Ray Stevens

Others Present: David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Trish Owen, Deputy County Clerk  
Gwen Thorpe, Deputy Chief Administrative Officer

Absent: Kerry Eagan, Chief Administrative Officer

The Lancaster County Board of Commissioners meeting was convened at 1:37 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, September 18, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated September 18, 2001. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, September 25, 2001.

**MOTION:** Heier moved and Workman seconded approval. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

A. The County-City Volunteer of the Month Award was presented to Fran Ernst for her services with the Aging Department.

4) **PUBLIC HEARINGS:**

- A. An application for an amusement license from Todd Hoyer to hold a street dance on Saturday, September 29, 2001 from 5 p.m. to 1 a.m. on Southwest 114<sup>th</sup> and 1<sup>st</sup> Streets in Kramer, Nebraska.**

The Chair opened the public hearing.

Todd Hoyer, applicant, appeared and indicated he would comply with conditions as outlined by the Sheriff and the County Engineer.

In response to a question asked by Workman regarding security, Hoyer explained they would have one on-duty officer with a minimum of six security personnel at any given time.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

**MOTION:** Heier moved and Hudkins seconded approval of the application for an amusement license from Todd Hoyer. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

5) **OLD BUSINESS:**

- A. An agreement with Nemaha County for the safekeeping, care and sustenance of juveniles at the Lancaster County Juvenile Detention Center. Nemaha County will pay Lancaster County \$160 per day for each juvenile housed at the Detention Center. The term of the agreement is effective upon execution and subject to review in September of the subsequent year. (C-01-163)**

**MOTION:** Heier moved and Workman seconded approval of an agreement with Nemaha County. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.



5) **OLD BUSINESS CONTINUED:**

- B. An amendment to an agreement with the State of Nebraska, Department of Health and Human Services. The original agreement is found under County contract C-01-21 which provides for the contracting and monitoring of the community based residential and non-residential evaluation services for youth. The amendment adds the language provided in Exhibit "A". (C-01-372)**

**MOTION:** Heier moved and Stevens seconded approval of an amendment to an agreement with the State of Nebraska, Department of Health and Human Services. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

- C. An agreement with the Child Guidance Center for monitoring of the community based residential and non-residential evaluation services for youth of the southeast service area as ordered by the courts on behalf of the State of Nebraska, Department and Health and Human Services. The term of the agreement is October 1, 2001 through September 30, 2002. The County will reimburse the contractor at the rates indicated in Attachment "B" or the most current Nebraska Medicaid rates. (C-01-439)**

David Johnson, Deputy County Attorney, outlined changes in the agreement and recommended it be approved subject to the County Clerk's Office receiving a signed original.

**MOTION:** Heier moved and Workman seconded approval of an agreement with Child Guidance Center subject to the County Clerk's Office receiving a signed original. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

6) **NEW BUSINESS:**

- A. An agreement with Hamilton County for the safekeeping, care and sustenance of juveniles at the Lancaster County Juvenile Detention Center. Hamilton County will pay Lancaster County \$160 per day for each juvenile housed at the Detention Center. The term of the agreement is effective upon execution and subject to review in September of the subsequent year. (C-01-479)**

**MOTION:** Hudkins moved and Heier seconded approval of an agreement with Hamilton County. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**B. Grant contracts with the following agencies:**

- ▶ Cedars Youth Services for funding for the Teaching and Learning with Children, Housing, Children's Shelter and the Freeway Station, in the amount of \$263,000, beginning July 1, 2001 and ending June 30, 2002. (C-01-477)
- ▶ Mediation Center for victim/offender mediation for at least 30 juvenile Pre-Trial Diversion offenders, in the amount of \$7,500, beginning August 1, 2001 and ending July 30, 2002. (C-01-475)

**MOTION:** Heier moved and Workman seconded approval of grant contracts with Cedars Youth Services and the Mediation Center. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

**C. An agreement with Lisa Lozano, Attorney at Law and Tietjan, Simon and Boyle to provide legal services for indigent parents and juveniles in Juvenile Court proceedings for abuse or neglect cases and law violations, beginning October 1, 2001 and ending October 31, 2004. The county will pay \$220,610 for the services. (C-01-487)**

**MOTION:** Heier moved and Stevens seconded approval of an agreement with Lisa Lozano and Tietjan, Simon and Boyle. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

**D. A contract with Mary L. Paine, Ph.D. to provide temporary mental health services at the Lancaster County Community Mental Health Center, beginning September 1, 2001 and ending June 30, 2002. The County will pay \$65 per hour and Mary Paine will provide up to 40 hours per week. (C-01-440)**

**MOTION:** Workman moved and Heier seconded approval of a contract with Mary L. Paine, Ph.D. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

Johnson requested that the Board reconsider action taken on New Business Item 6C.

**RETURNING TO NEW BUSINESS ITEM 6C:**

- C. An agreement with Lisa Lozano, Attorney at Law and Tietjan, Simon and Boyle to provide legal services for indigent parents and juveniles in Juvenile Court proceedings for abuse or neglect cases and law violations, beginning October 1, 2001 and ending October 31, 2004. The county will pay \$220,610 for the services. (C-01-487)**

Johnson addressed concern regarding one agreement for two separate entities.

**MOTION:** Heier moved and Stevens seconded reconsideration of New Business 6C. Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

Johnson requested that the agreement be removed the agenda.

**MOTION:** Workman moved and Stevens seconded removal of an agreement with Lisa Lozano and Tietjan, Simon and Boyle until such time that the County Attorney's Office places it back on the agenda. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

- E. An agreement with Medical Staffing Network to provide Lancaster Manor with specialty registered nurses, medical surgical registered nurses, certified nurse assistants/personal care technicians and other medical healthcare providers as requested by the County. The County will pay for the services rendered at the rates provided in Page 6 of the agreement. (C-01-488)**

**MOTION:** Workman moved and Hudkins seconded approval of an agreement with Medical Staffing Network. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

- F. Agreements with Nebraska Mental Health Center, S. Folsom and W Prospector LRC AFS Program and Omni Behavioral Health for monitoring the community based residential and non-residential evaluations for youth of the southeast service area as ordered by the courts on behalf of the State of Nebraska, Department and Health and Human Services. The term of the agreement is October 1, 2001 through September 30, 2002. The County will reimburse the contractor at the rates indicated in Attachment "B" or the most current Nebraska Medicaid rates.**

Johnson requested that the item be held until the end of New Business.

6) **NEW BUSINESS CONTINUED:**

By direction of the Chair, the agreements were held until the end of New Business.

- G. An amendment to a grant contract with the State of Nebraska Probation Administration for the Juvenile Drug Court. The amendment permits the State to purchase five sobriety rooms at a cost of \$7,475. The County will grant this amount to the State to pay for the sobriety rooms. (C-01-489)**

**MOTION:** Heier moved and Hudkins seconded approval of an amendment to a grant contract with the State of Nebraska Probation Administration. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

- H. An amendment to a contract between the Lancaster County Community Mental Health Center and ServiceLinc extending contract number C-01-179 to December 31, 2001. The original contract was to end on June 30, 2001 and will provide for the implementation of a demonstration project that will place consumers with serious mental disorders in employment situations in an effort to impact symptoms and functioning of those individuals. (C-01-478)**

**MOTION:** Workman moved and Heier seconded approval of an amendment to a contract with ServiceLinc. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- I. A change order for interchange ramps at Northwest 27 Street and Highway 34 (County Project 01-23). The change will add the use of "Flashing Arrow" panel(s) to the lane closure plan as required by the State of Nebraska, Department of Roads. The County will pay Constructors, Inc. \$50 a day for 30 days. (C-01-476)**

**MOTION:** Hudkins moved and Workman seconded approval a change order. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**J. Change order number one for the Lancaster County Juvenile Detention Center, adding \$12,653 to the contract between Lancaster County and Cheever Construction. (C-00-505 CO-01-02)**

**MOTION:** Heier moved and Stevens seconded approval of change order number one.

Workman stated 89 percent of the bond proceeds have been expended.

**ROLL CALL:** Stevens, Workman, Heier, Campbell and Hudkins voted aye.  
Motion carried.

**K. A resolution in the matter of annual salary increases for Unclassified County employees other than elected officials and chief deputies. (R-01-96)**

**MOTION:** Heier moved and Workman seconded approval of Resolution 01-96.  
Campbell, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

**L. Letter of support for Larry Hudkins for the position of Treasurer of the Nebraska Association of County Officials (NACO).**

**MOTION:** Heier moved and Workman seconded approval of a letter of support.  
Heier, Campbell, Stevens and Workman voted aye. Hudkins abstained.  
Motion carried.

**M. Termination and notice of termination of grant contract C-01-445 with Fresh Start Home for the Transitional Housing Program. Effective date of termination will be October 1, 2001.**

Johnson requested that the termination of the grant contract be approved and suggested that the County Attorney's Office notify Fresh Start Home.

**MOTION:** Heier moved and Hudkins seconded approval of the termination of a grant contract (C-01-445) with Fresh Start Home, effective October 1, 2001 and to request the County Attorney's Office notify Fresh Start Home of the termination. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**N. A letter of understanding regarding the quoting of coverage for the Public Officials Liability coverage with respect to Lancaster Manor.**

**MOTION:** Hudkins moved and Workman seconded approval of a letter of understanding. Workman, Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

**O. Recommendation from the Purchasing Agent and the Sheriff to award a bid off of State contracts for vehicles for the Sheriff's Office as follows: (B-01-42)**

- ▶ **Anderson Ford, in the amount of \$16,648, for one 2002 four-door Taurus Sedan SE police vehicle with additional factory equipment (State Contract #5698A)**
- ▶ **Tincher Ford Mercury, in the amount of \$23,164, for one 2002 five passenger special service vehicle (State Contract #5692)**
- ▶ **Husker Auto Group, in the amount of \$22,035.77, for one 2002 3/4 Ton, 12 Passenger Express Van (State Contract #5689)**

**MOTION:** Heier moved and Stevens seconded approval. Hudkins, Stevens, Workman, Heier and Campbell voted aye. Motion carried.

**P. Recommendation from the Purchasing Agent and the Sheriff to accept an offer to purchase the Sheriff's used 1967 Piper PA-31 Navajo aircraft from Lametti & Sons, Inc. Lametti & Sons, Inc. will purchase the aircraft as per terms and conditions outlined in "as is, where is" sale document number 01-125. This will be an acceptance of \$93,500 after a test flight by the bidder and upon receipt of certified funds from the bidder. (B-01-44)**

**MOTION:** Hudkins moved and Stevens seconded approval. Stevens, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

**Q. Recommendation from the Purchasing Agent to award a bid off of a State contract to Motorola C & E, Inc., in the amount of \$11,233.25, for ten Motorola portable radios for the Lancaster County Corrections Department. (B-01-43)**

**MOTION:** Heier moved and Workman seconded approval. Heier, Workman, Hudkins, Campbell and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**R. Authorization of Wells Fargo Bank, as Trustee, to disburse \$428,054 from the juvenile detention center bond proceeds to Cheever Construction Company for Payment Application Number 19 as general contractor for the new Juvenile Detention Center and \$2,363.55 to Sinclair Hille Architects for architectural services for the new Juvenile Detention Center. (M-01-110)**

**MOTION:** Heier moved and Workman seconded approval. Campbell, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

**S. Authorization of Wells Fargo Bank, as Trustee, to disburse \$1,957.01 from the juvenile detention center bond proceeds to the City of Lincoln, Information Services Division for computer equipment and \$627.50 to Advanced Office Interiors for an executive chair for the new Juvenile Detention Center. (M-01-112)**

**MOTION:** Workman moved and Heier seconded approval. Heier, Workman, Stevens, Campbell and Hudkins voted aye. Motion carried.

**T. A claim for attorney's fees from Patrick B. Cavanaugh, Esq., pursuant to Resolution 4630, for 25 percent of retroactive Social Security benefits which total \$774, for a total claim of \$193.50. (M-01-111)**

**MOTION:** Heier moved and Hudkins seconded approval of a claim for attorney's fees from Patrick B. Cavanaugh, Esq., in the amount of \$193.50. Stevens, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

**U. A request from Linda Carmichael for a refund of real estate taxes for 1999, in the approximate amount of \$29.32 and for 2000, in the approximate amount of \$29.20. (M-01-106)**

**MOTION:** Heier moved and Workman seconded approval of a refund request from Linda Carmichael, in the approximate amount of \$29.32 for 1999 and in the approximate amount of \$29.20 for 2000. Workman, Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

**V. A political subdivision tort claim filed against the Lancaster County Corrections Department by Kathryn C. Clark for lost property, in the amount of \$88.96.**

**MOTION:** Workman moved and Hudkins seconded to accept the Director's recommendation and deny the tort claim filed by Kathryn C. Clark. Hudkins, Workman, Heier, Campbell and Stevens voted aye. Motion carried.

**W. A political subdivision tort claim filed against the Lancaster County Corrections Department by Dion A. Becker for lost property, in the amount of \$29.**

**MOTION:** Workman moved and Heier seconded to accept the Director's recommendation and deny the tort claim filed by Dion A. Becker. Campbell, Heier, Stevens, Workman and Hudkins voted aye. Motion carried.

**X. A political subdivision tort claim filed against the Lancaster County Corrections Department by Pedro Renteria for lost property, in the amount of \$45.**

**MOTION:** Heier moved and Workman seconded to accept the Director's recommendation and approve the tort claim filed by Pedro Renteria, in the amount of \$36. Hudkins, Campbell, Stevens, Heier and Workman voted aye. Motion carried.

**Y. An application for an amusement license from Ron Talbert to hold an outdoor concert on Saturday, October 20, 2001 from 8 p.m. to 11:30 p.m. and to hold a fund raiser on Saturday, October 27, 2001 from 8 p.m. to 11:30 p.m. at Broken Spoke Trading Post located at 201 West South Street, Lincoln, Lancaster County, Nebraska.**

David Johnson, Deputy County Attorney, explained that an application for an amusement license had been filed in the County Clerk's Office which does not meet the requirement for submittal (must be filed 45 days prior to event) or the requirement regarding the public hearing (hearing must be held three weeks prior to the event).



6) **NEW BUSINESS CONTINUED:**

Johnson stated the resolution regarding the guidelines for an amusement license became effective September 4, 2001. He stated the applicant would have had no notice regarding the requirements of the County's licensing process and recommended that those two requirements be waived.

J. Michael Rierden, attorney representing applicant, appeared and stated the applicant was not challenging the 45 day submittal and in the future would adhere to the requirements.

Workman asked Rierden if the events scheduled are alcohol free.

Rierden stated it would be his recommendation to the applicant that no alcohol be served.

**MOTION:** Heier moved and Workman seconded to waive the requirement that the application for an amusement license from Ron Talbert be submitted a minimum of 45 days prior to the event(s) and to also waive the requirement that the public hearing be held three weeks prior to the event. Campbell, Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

**RETURNING TO NEW BUSINESS ITEM 6F:**

**F. Agreements with Nebraska Mental Health Center, S. Folsom and W Prospector LRC AFS Program and Omni Behavioral Health for monitoring the community based residential and non-residential evaluations for youth of the southeast service area as ordered by the courts on behalf of the State of Nebraska, Department and Health and Human Services. The term of the agreement is October 1, 2001 through September 30, 2002. The County will reimburse the contractor at the rates indicated in Attachment "B" or the most current Nebraska Medicaid rates.**

Sheryl Schrepf, Project Director for Families First and Foremost, appeared and stated that October 1<sup>st</sup> they would take over the Office of Juvenile Services (OJS) evaluations in Lancaster County.

Johnson requested that the Board's approval be subject to the County Clerk's Office receiving signed originals for the record.

6) **NEW BUSINESS CONTINUED:**

**MOTION:** Heier moved and Workman seconded approval of the agreements with Nebraska Mental Health Center, S. Folsom and W. Prospector LRC AFS Program and Omni Behavioral Health. Campbell, Heier, Stevens, Workman and Hudkins voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A. Receive and Place on File:**

1. Register of Deeds Monthly Report for August, 2001.
2. Sheriff's Report of Fees for August, 2001
3. Lincoln City Libraries Director's Report for August, 2001.

**B. Setting of a public hearing for Tuesday, October 16, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding a petition from ten percent of the property owners within the Countrylane Estates Subdivision for formation of a Special Paving Improvement District for the paving of Vanderslice Lane, Vanderslice Circle, Wildflower Street, Wildflower Court, 64<sup>th</sup> Street, 66<sup>th</sup> Street and 67<sup>th</sup> Street, all located within the Countrylane Estates Subdivision in Lancaster County, Nebraska.**

**C. A resolution in the matter of County Special Permit 187, Prairie Vista Community Unit Plan, requested by Lyle Loth of ESP, on behalf of Andrew and Tamera Ingwerson, consisting of six single family dwelling units, on property located south of North 176<sup>th</sup> Street and Fletcher Avenue in Lancaster County, Nebraska. (R-01-98)**

**D. A resolution in the matter of County Preliminary Plat 01009, Prairie Vista, requested by Lyle Loth of ESP, on behalf of Andrew and Tamera Ingwerson, consisting of six residential acreage lots, on property located south of North 176<sup>th</sup> Street and Fletcher Avenue in Lancaster County, Nebraska. (R-01-97)**

**E. A right-of-entry agreement between the Lancaster County Engineering Department and Ron Doty and Angie Thaller on property located at the southwest corner of 148<sup>th</sup> Street and Old Cheney Road; Project C55-Q-407(1). (C-01-483)**

7) **CONSENT ITEMS CONTINUED:**

F. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:

- ▶ Ronald and Elaine Eltze, in the amount of \$89.20, at Southwest 58<sup>th</sup> Street and West Panama Road; Project STPE-BR-3260(1). (C-01-486)
- ▶ Bruce and Jhoni Lynn Kucera, in the total amount of \$9,743, at 12400 Old Cheney Road; Project C55-Q-407(1). (2 contracts) (C-01-484 and C-01-485)
- ▶ Ron Doty and Angie Thaller, in the total amount of \$7,351.25, at the southwest corner of 148<sup>th</sup> Street and Old Cheney Road; Project C55-Q-407(1). (3 contracts) (C-01-480 through C-01-482)

**MOTION:** Heier moved and Workman seconded approval of the Consent Items. Heier, Campbell, Stevens, Hudkins and Workman voted aye. Motion carried.

8) **ADJOURNMENT**

**MOTION:** Heier moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 2:38 p.m. Stevens, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

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Bruce Medcalf  
County Clerk